

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.,)
TRITEL COMMUNICATIONS, INC., TRITEL)
FINANCE, INC., KENTUCKY CGSA, INC., AND)
GTE WIRELESS OF THE SOUTH, INC. FOR)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A WIRELESS COMMUNICATIONS FACILITY AT)
OLD CANNONS LANE, LOUISVILLE, KENTUCKY) CASE NO. 2000-042
40207 IN THE WIRELESS COMMUNICATIONS)
LICENSE AREA IN THE COMMONWEALTH OF)
KENTUCKY IN THE COUNTY OF JEFFERSON)
)
SITE NAME: SENECA PARK)
SITE NUMBER: KY 254)
REJECTED BY LOUISVILLE AND JEFFERSON)
COUNTY PLANNING COMMISSION AS)
LOCAL DOCKET NO. 4-8-99)

O R D E R

This matter is before the Commission to set a new hearing date. On June 27, 2000, a prehearing conference was conducted by the hearing officer to establish a date for hearing and to establish the issues to be addressed by the parties at hearing. It was agreed by the parties, Commission Staff, and hearing officer that the public hearing could be set to begin on August 22, 2000 at 9:00 a.m., Eastern Daylight Time in Hearing Room 1 at the Commission's offices. The public hearing shall continue on successive days as necessary to complete the case up to and including August 24, 2000.

Pursuant to KRS 278.650, the application herein was submitted to the Louisville and Jefferson County Planning Commission ("LJCPC"). The LJCPC rejected the application and proposal to construct an antenna tower. The Commission is being

asked, pursuant to KRS 278.650(2), to override the LJPCP's decision. It was agreed by the parties, Commission Staff, and hearing officer that there were only two issues to be addressed at public hearing: first, whether there is an acceptable alternative site upon which to construct the antenna tower and, second, whether the public convenience and necessity require the construction of the proposed tower.

IT IS THEREFORE ORDERED that:

1. The public hearing on the proposed wireless telecommunications facility is scheduled to begin on August 22, 2000 at 9:00 a.m., Eastern Daylight Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky, and the hearing shall continue on successive days up to and including August 24, 2000.

2. Pursuant to KRS 278.650(2), the parties shall appear at hearing and present testimony and evidence relating to two issues: first, whether there is an acceptable alternative site and, second, whether the public convenience and necessity require the proposed construction. The parties can present testimony and evidence regarding the engineering design, location (alternative site only) and construction of the proposed cell site, as well as the jurisdictional safety issues relating to the cell site. The foregoing is the extent of the testimony and evidence to be received at public hearing unless otherwise ordered by the hearing officer.

Done at Frankfort, Kentucky, this 18th day of July, 2000.

By the Commission

ATTEST:


Executive Director